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THE NATIONAL ERA IS PUBLISHED WERELY, OR SEVENTE STREET, OPPOSITE ODD FELLOWS' HALL. TERMS.

Two dollars per annum, payable in advance.
Advertisements not exceeding ten lines inserted three imes for one dollar; every subsequent insertion, twenty All communications to the ERA, whether on business

of the paper or for publication, should be addressed

G. BAILEY, Washington, D. C.

BUELL & BLANCHARD, PRINTERS,

THE NATIONAL ERA.

WASHINGTON, APRIL 21, 1851.

For the National Ers. LONGING FOR HOME.

BY MISS ANNIE JONES CHRISMAN.

Between the future and the past, With fearful, half regretful sigh, Now forth, now back, my glance is cast, And now turns upward to the sky; Backward, the shales of wasted hours Look on me with a mournful gaze; I turn to pluck the wayside flowers,

And meet the future's vell of haze I sigh for home, the home above, The home of pure and perfect love; To rest beneath that healing tree, To rest beside that living wave, Amidst the ransomed host to be, Praising the Lamb that died to save O, arm me to the conflict, Lord, . The conflict stern of present lifeplead in faith thy faithful word-Make my strength equal to the strife; O, make me glad thy cross to bear, Thy easy yoke with joy to wear.

And when a weary, shrinking thought My wrestling, struggling soul assails, To Thee, who not in vain art sought, To Thee, with whom strong prayer prevails, To Thee for present help I'll turn n patient faith of Thee to learn Valley Forge, February 9, 1851.

For the National Era. MRS. HILL AND MRS. TROOST.

BY PATTY LEE.

It was just two o'clock of one of the warmest the July afternoons. Mrs. Hill had her dinner all over-had put on her clean cap and apron, and sat on the north porch, making an unbleached cotton shirt for Peter, (Mr. Hill.) who always wore unbleached shirts at harvest time. Mrs. Hill was a thrifty economist. She had been pur suing this housewifely avocation for some little time, interrupting herself only at times to shu! away the flocks of half-grown chickens that came noisily about the door for the crumbs from the table-cloth, when the sudden shutting down of a great blue cotton umbrella caused her to drop her work and exclaim-

Well, now, Mrs. Troost; who would have thought that you ever would come to see me!" Why, I have thought a great many times that I would come," said the visiter, stamping her little feet-for she was a little woman-briskly on the blue flag stones, and then dusting them nicely with her white cambric handkerchief, before good while, for I remember when I was here last I had my Jane with me-quite a baby then, if

you mind-and she is three years old now." Is it possible?" said Mrs. Hill, untying the bonnet strings of her neighbor, who sighed, as she continued-

"Yes, she was three along in February;" and she sighed again more heavily than before, though there was no earthly reason that I know of why she should sigh, unless perhaps the flight of time thus brought to mind suggested the transitory

nature of human things. Mrs. Hill laid the bonnet of Mrs. Troost o her "spare bed," and covered it with a little, pakblue crape shawl, kept especially for like occasions, and, taking from the drawer of the bureau a large fan of turkey feathers, she presented it to

her guest, saying-"A very warm day, isn't it?" "O, dreadful, dreadful-it seems as hot as

bake oven-and I suffer with the heat all summer more or less. But it's a world of suffering;" and Mrs. Troost half closed her eyes, as if to shu out the dreadful reality. "Hay-making requires sunshiny weather, yo

know; so we must put up with it," said Mrs. Hill Besides, I can mostly find some cool place about the house. I keep my sewing here on the porch and as I bake my bread or cook my dinner man age to catch it up sometimes, and so keep fro getting overheated; and then, too, I get a good many stitches taken in the course of the day.

"This is a nice, cool place-completely cur tained with vines"-said Mrs. Troost; and she sighed again. "They must have cost you a great deal of pains."

"O, no, no trouble at all; morning-glorie grow themselves-they only require to be plant ed. I will save seed for you this fall, and nex summer you can have your porch as shady as

"And if I had, it would not signify," said Mrs Troost. "I never get time to sit down from one week's end to another; besides, I never had any luck with vines-some folks haven't, you know."

Mrs. Hill was a woman of a short, plethoric habit—one that might be supposed to move about with little agility, and to find excessive warmtl rather inconvenient. But she was of a happy. cheerful temperament; and when it rained she tucked up her skirts, put on thick shoes, and waddled about the same as ever, saying to herself, This will make the grass grow, or it will bring on the radishes, or something else equally con

Mrs. Troost, on the contrary, was a little thin woman, who looked as though she might move about nimbly at any season But, as she herself often said, she was a poor unfortunate creature and pitied and commiserated herself a great deal as she was in justice bound to do, for nobody else cared, she said, how much she had to bear.

They were near neighbors-these ladies their social interchanges of tea-drinking were not of very frequent occurrence, for sometimes Mrs Broost had nothing to wear like other folksometimes it was too hot, and sometimes it was too cold-and then again nobody wanted to ser her, and she was sure she didn't want to go where she wasn't wanted. Moreover, she had such great barn of a house, as no other woman ever had to take care of. But in all the neighborhood it was called the big house, so Mrs. Troost was in some measure compensated for the pains it cost her. It was, however, as she said, a barn of s place, with half the rooms unfurnished, partly that they had no use for them, and partly that they were unable to get furniture. So it stood right in the sun, with no shutters, and no tree Sout it, and Mrs. Troost said she didn't suppose ever would have. She was always opposed t building it, but she never had her way about any thing; though some people said Mr. Troost had taken the dimensions of his house with his wife's

needle, and it's no use to try."

"Lay down your work for a little while, and we will walk in the garden." So Mrs. Hill threw a towel over her head, and,

taking a little tin basin in her hand, the two ladies next. No space for comment at present. went to the garden-Mrs. Troost under the shelter of her blue umbrella, which she said was so heavy it was worse than nothing. Beans, radishes, raspberries, and currants, besides many other things, were there in rich profusion, and Mrs. Mr. J. P. Blanchard : Troost said everything flourished for Mrs. Hill.

Troost said everything flourished for Mrs. Hill, while her garden was all choked up with weeds. "And you have bees, too—don't they sting the children, and give you a great deal of trouble? Along in May, I guess it was, Troost (Mrs. Troost always called her husband so) bought a hive, or rather he traded a calf for one—a nice, likely calf, too, it was—and they never did us one bit of good"—and the unhappy woman sighed.

"The act in question professes to carry out the following injunction of the Constitution:

"No person held to service or labor in one

"They do say," said Mrs. Hill, sypathizingly, that bees won't work for some folks-in case their king dies they are very likely to quarrel, and not do well-but we have never had any ill lack with ours; and we last year sold forty dol-lars worth of honey, besides having all we want-ed for our own use. Did yours die off, or what,

"Why," said the ill-natured woman, "my oldest boy got stung one day, and, being angry, up-set the hive, and I never found it out for two or three days; and, sending Troost to put it up in

their going off for less things."

The basin was by this time filled with currants, and the neighbors returned to the house. Mrs. Hill, seating herself on the sill of the kitchen and the neighbors returned to the house. Mrs. Hill, seating herself on the sill of the kitchen door, began to prepare her fruit for tea, while
Mrs. Troost drew her chair near, saying, "Did
you ever hear about William McMicken's bees?"
Mrs. Hill had never heard, and expressed anxwas the necessity of preserving the rights of slaveiety to do so, which resulted in the following

His wife, you know, was she that was Sally May, and it's an old saying—
"To change the name, and not the letter,"
You marry for worse, and not for better."

Sally was a dressy, extravagant girl-she had

her bonnet "done up" twice a year always, and there was no end to her dresses and ribbons and fine things. Her mother indulged her in everything; she used to say Sally deserved all she got; that she was worth her weight in gold.

She used to go everywhere Sally did. There was no big meeting that she was not at, and no

good deal in town at her Aunt Hanner's, and always brought out the new patterns. She used to have her "mutton-leg" sleeves a

She used to have her "mutton-leg" sleeves a little bigger than anybody else, you remember, and then she wore great stiffners in them—la, me! there was no end to her extravagance.

She had a changeable silk, yellow and blue, made with a surplus front; and when she wore that, the ground wasn't good enough for her to walk on, so some folks used to say; but I never thought Sally was a bit proud or lifted up; and if anybody was sick, there was no better-hearted creature than she, and, then, she was always creature than she; and, then, she was always good-natured as the day was long, and would sing all the day at her work. I remember, along before she was married, she used to sing one song a great deal, beginning

"H's I've got a sweetheart with bright black eyes." with her white cambric handkerchief, before turing on the snowy porch floor of Mrs. Hill. And they said she meant William McMicken by that, and that she might not get him after all a match, their dispositions were so contrary.

William was of a dreadful quiet turn, and a great home body; and as for being rich, he had

> Mrs. Hill had by this time prepared her cur-rants, and Mrs. Troost paused from her story while she filled the kettle, and attached the towel to the end of the well-sweep, where it waved "Now, just move your chair a leetle nearer the kitchen door, if you please," said Mrs. Hill, " and I can make up my biscuit, and hear you, too."

> Meantime, coming to the door with some bread crumbs in her hand, she began scattering them on the ground, and calling biddy, biddy, chicky, chicky, chicky—hearing which, a whole flock of poultry was about her in a minute; when, stooping down, she secured one of the fattest, hich an hour afterwards was broiled for supper.
> "Dear me, how easily you do get along!" said

> And it was some time before she could compose herself sufficiently to take up the thread of her story. At length, however, she began with— well, as I was saying, nobody thought Mr. Mc-Micken would marry Sally May. Poor man, they say he is not like himself any more. He may get a dozen wives, but he'll never get another Sally. A good wife she made him, for all

she was such a wild girl. The old man May was opposed to the marriage, and threatened to turn Sally, his own daughter, out of house and home; but she was headstrong, and would marry whom she pleased; and so she did, though she never got a stitch of new clothes, nor one thing to keep house with. No, not one single thing did her father give her when she ever he spoke to her after she was married; but Sally didn't seem to mind it, and took just as good thousand dollars. Every day in winter she used to feed them—maple sugar, if she had it; and if

on the hand—the right one, I think it was—and Sally said right away that it was a bad sign; and that very night she dreamed that she went out to feed her bees, and a piece of black crape was tied and told her husband so, and she told me and Hanks, but Mrs. Hanks got to hear it some way. "Well," said Mrs. Hill, wiping the tears away with her apron, "I really didn't know till now that poor Mrs. McMicken was dead." "O, she is not dead," answered Mrs. Troost,

"but as well as she ever was, only she feels that she is not long for this world." The painful insne is not long for this world." I he paintd in-terest of her story, however, had kept her from work, so the afternoon passed without her having accomplished much—she never could work when

she went visiting.

Meantime Mrs. Hill had prepared a delightful supper, without seeming to give herself the least trouble. Peter came precisely at the right moment, and, as he drew a pail of water, removed the towel from the well-sweep easily and naturally, thus saving his wife the trouble.

Troost would never have thought of it—so said his lady; and she finished with an ah, well! as

reminded of her own upset hive, and the orisp red radishes brought thoughts of the weedy gar-den at home; so that, on the whole, her visit, she said, made her perfectly wretched, and she should have no heart for a week; nor did the little bas-ket of extra nice fruit, which Mrs. Hill presented her as she was about to take leave, heighten her spirits in the least. Her great heavy um-brella, she said, was burden enough for her.

"No," said Mrs. Troost, as though charity were offered her, "it will be more trouble to get in and out than to walk"—and so she trudged ome, saying, "some folks are born to be lucky

"But Peter will take you in the carriage," in-

the Albany Register,) upon the most reliable au-thority, that Governor Fish, since his election to the Senate, has written a letter, in which he says, recognise a personal friend, as well as a distin-guished leader of the political party in his own State in whose ranks he has ever labored zealous-ly. Had this letter appeared before his election, it would have saved all opposition, and we are most happy to learn that he has given utterance

at all done. My hands sweat so I can't use the posed, to join in this rather delicate and hazardous enterprise. It is also rumored that this new movement is sanctioned, if not prompted, by men of influence and official standing in Georgia and other Southern States. We understand the ex-pedition is to sail from Savannah on Saturday

LETTER FROM JOHN VAN BUREN TO THE MASSACHUSETTS CONVENTION.

DEAR SIR: I have received your favor of the 31st

"No person held to service or labor in one State, under the laws thereof, escaping into another, shall, in consequence of any law or regu-lation therein, be discharged from such service or labor, but shall be delivered up, on claim of the party to whom such service or labor may be

To avoid misapprehension, whink it proper to say that, in my opinion, this provision of the Constitution, like all others, should be faithfully its place, there was not a bee to be found high or its adoption. They all now constitute parts of the instrument, and should be alike obeyed in "You don't tell! the obstinate little dogs—but they must be treated kindly, and I have heard of their going off for less things."

the instrument, and should be alike obeyed in spirit and in letter. It is with this feeling that I consider the provision above quoted, and thus regarding it, it seems to me obvious, that the main. was the necessity of preserving the rights of slave-holders in some of the States, when other States should, from time to time, see the wisdom and humanity of abolishing slavery. They intended that each State should abolish slavery for itself and not for its neighbors, and that when a State did so abolish slavery, it should not pass any law which would interfere with the right of a slaveholder to pursue and retake his slave in such free State. I doubt whether there was any absolute necessity for legislation, either on the part of the State or General Government, to enforce this prothat she was worth her weight in gold.

She used to go everywhere Sally did. There was no big meeting that she was not at, and no quilting that she didn't help to get up. All the girls went to her for the fashions, for she was a each other by the laws of the State in which they both resided, that relation should not be destroyed by the escape into another State of the one

owing service. But whether the States might or might not le gislate to carry out this provision, it seems to me entirely clear, that no power over the subject is given to Congress, either expressly or by implica-tion—and it is to me imexplicable, how those who are so abstemious in the exercise of power over the subject of slavery by Congress, as to deny the authority to prohibit slavery in the District of Columbia, or in the Territories of the United States, should have been able to find not only authority for Congress to legislate in regard to fugitives from service, but an authority so exclusive as to oust the States! This is one of the triumphs of modern ingenuity; and so far as the authority to legislate upon the subject of fugitives from service is concerned, those who claim it for Supreme Court of the United States, on a pre-vious act, in the case of Prigg vs. The Common-mealth of Pennsylvania. By this decision, Judges in determining the question of authority would probably be concluded. But in a popular discus-sion of the propriety of a law with a view to its repeal or modification, I presume we are at liberty to believe in opposition to a decision of the Supreme Court. Even the Executive and Legis-lative departments deny its authority to bind them. The Supreme Court decided that the Alien and Sedition law was constitutional, and Matthew Lyon was imprisoned under it. The President, Mr. Jefferson, decided that it was not, and parthat Congress could constitutionally charter a Bank of the United States, and that the propriety and necessity of doing so were to be judged by Congress. The President, General Jackson, de-Congress. The President, General Jackson, decided that such an act was unconstitutional, and vetoed it. With these examples before me, I feel authorized to express the opinion which I entertain, that the Fugitive Slave Bill is unconstitu-

tional, because Congress have no power to legis-late upon the subject.

But to those who regard the decision of the Supreme Court as conclusive, it is important to consider other objections to the act. Conceding the power of Congress to legislate upon the subject, I think the set in question is unconstitutional, because it does not give the person seized a trial by jury at the place were he is so seized, and before he is put in the custody of the claimant with a warrant to transport him. The error, as it seems to me, with great respect, in the legislation of Congress upon this subject arises from confound-ing two classes of cases which have no analogy with or resemblance to each other. I allude to the surrender of fugitives from justice and the seizure of persons held to service. A bare state-ment of the provision as to fugitives from justice

will show this. It is in these words:

"A person charged in any State, with treason, felony, or other crime, who shall flee from justice, and be found in snother State, shall, on demand of the Executive authorty of the State from which he fled, be delivered up, to be removed to the State having jurisdiction of the crime." The striking differences between the two case

1st. The party seized under the last section is charged with having committed an offence against the public—a fugitiue from service has committed no offence against the public. It is no crime, I think, by the laws of Georgia, Virginia, or South Carolina, to escape from service, and the laws provide no punishment for it. In Maryland, a law to that effect has recently been passed, but a demand under it would of course be for a

made by the Executive authority of the State—a person held to service is claimed by a private in-dividual.

fugitive from justice, not for a fugitive from ser-

31. The fugitive from justice is to be removed to the State having jurisdiction over the crime to the State having jurisdiction over the crime. The person held to service is to be taken wherever the claimant pleases. I am aware that the act of Congress provides a warrant, which, it says, shall authorize theoremoval of the fugitive from service to the place whence he fled. But the Constitution makes no such provision, nor do I believa it contemplated such a result. The warrant gives the party seized no right to insist upon being carried to the place whence he fled, or upon remaining there when he arrives. If he is seized in New York as a slave, who is alleged to have escaped from his master at Charleston, I see nothing to prevent his being shipped for Brazil, and certainly nothing to prevent his being sold in any slaveholding State through which he may be carried; and it is notoriously the practice, after exhibiting a recovered slave to the other slaves on a plantation as a warning, to sell and remove him to other parts. The framers of the Constitution saw no necessity for removing them to the State whence they field. They were not, like criminals, to be tried for an offence where it had been committed. They had committed no offence been committed. They had committed no offence. They had no occasion to be tried anywhere, and have never heard that a slave who was restored to his master was in any way publicly proceeded

These glaring distinctions between fugitives from justice and fugitives from service seem to have been overlooked by the Congress of 1793, which first legislated upon the subject. The act of that year grew out of the refusal of Virginia to of that year grew out of the refusal of Virginia to surrender three persons who were demanded by the Executive of Pennsylvania, as charged with the crime of kidnapping a free man in the latter State. The Executive of Virginia refused to comply with this request, although the Constitution made it his duty, on the ground that no legislation had ever prescribed the manner in which and the person by whom such surrender should be made. (1 Am. State Papers, Miscellaneous, 38, 39) President Washington, on the request of the Executive of Pennsylvania, laid the matter before Congress, and thus the act of 1793 was

or the provision of the Constitution in conformity to it which regulates the extradition of criminals. the former is preliminary, and contemplates a future trial at the proper place—the latter is con-clusive of the right for the time, and probably clusive of the right for the time, and probably forever, and neither looks to nor needs any future trial. In my judgment, the claim of service secured by the Constitution, if it requires a law to enforce it, and if Congress can pass such a law, can only be provided for by an act which secures the trial of a question in a regular suit before a jury. The seventh amendment to the Constitution provides that "in suits at common law, where lars, the right of trial by jury shall be preserved," &c. This amendment, as well as the fifth, which declares that "no person shall be deprived of life, liberty, or property, without due process of law," grew out of the opposition manifested to the adoption of the Constitution, because it did not in terms provide for the trial by jury in civil cases. It is needless to remind an American of the anxiety with which this institution has been meant by "a suit at common law," in the section quoted. It covers all suits, except those of equity, admiralty, or maritime jurisdiction; and the judi-ciary act of 1789, chap. 20, sections 9, 12, and 13, It will hardly be claimed that Congress can take case which entitles a party to a jury, and deprive him of a jury by converting it into a summary proceeding, or that they can in the same way de-prive him of his liberty or property without due process of law. If they could do this, the taial by

jury and the due process of law secured by the Constitution become a mockery. Treating this as a mere question of property exceeding twenty dollars in value, I entertain no deubt that it is a case where a jury trial is secured by the Consti-It will be remarked that the provision as to persons held to service has no reference to the color of the person's skin who is thus held, nor to the kind or degree of service. The word "slave" was purposely omitted from the Constitution; and although I think that this relation was the and although I think that this relation was the one in the mind of the framers of the Constitution when this section was drawn, still its language, and the language of the act in question, embraces apprentices, and all other persons held to service. If a jury trial, then, is not secured where a claim of service is made, the remarkable result would be, that if a claimant from New Orthon.

It may be said that a person seized can try the question of his right to freedom by jury at the place whence he fied. This is a consolation, to be sure, to a man whose freedom has been destroyed by seizure and transportation from his home; and beauty, by the influence of a trifling distinct of the sound health and study this subject, glance with me into the history do for an accomplishment, but is of little and beauty, by the influence of a trifling distinct of the sound health and study this subject, glance with me into the history do for an accomplishment, but is of little and beauty, by the influence of a trifling distinct of the sound health and study this subject, glance with me into the history do for an accomplishment, but is of little and beauty, by the influence of a trifling distinct of the sound health and beauty, by the influence of a trifling distinct of the sound health and beauty, by the influence of a trifling distinct of the sound health and beauty, by the influence of a trifling distinct of the sound health and beauty, by the influence of a trifling distinct of the sound health and beauty, by the influence of a trifling distinct of the sound health and beauty, by the influence of a trifling distinct of the sound health and beauty, by the influence of a trifling distinct of the sound health and beauty, by the influence of a trifling distinct of the sound health and beauty, by the influence of a trifling distinct of the sound health and beauty, by the influence of a trifling distinct of the sound health and beauty, by the influence of a trifling distinct of the sound health and beauty, by the influence of a trifling distinct of the sound health and beauty, by the influence of a trifling distinct of the sound health and beauty, by the influence of a trifli claimant concludes to take him, he could have a trial. But the act in question provides no jury trial anywhere; there is no obligation on the claimant to take the person he seizes to any par-ticular place; and if I have a right to try the question of title to property I hold, at the place where the property is, and where the demand is made, how can it be argued that I have no such right when the demand made is for my thews and sinews? It is urged that juries would not render established. This does not correspond with my observation of jury trials. On the contrary, whatever prejudice jurors may feel against a law, I have hardly ever known them to fail in obeying the directions of the court upon a point of law It is also suggested, that the expense of recovering a fugitive by this mode would amount to a destruction of the right. If such an evil exists, it is incident to this unfortunate relation. It certainly furnishes no reason why the Constitution should be violated, and a safeguard broken down in reference to the liberty of a human being, which is secured to him in defending a horse or

But I am passing far beyond the limits of a letter, and devoting more time to the answer of your note than I can well snatch from professional engagements. I must pass over the objection to that provision which devolves the duties of a court upon a Commissioner-a tribunal unknown to the Constitution. I can only glance at the pro-vision at the close of the sixth section of the act, it shall be conclusive of the right of the claimant to remove the alleged fugitive, and "shall prevent all molestation of such person by any process is-sued by any court, in dge, magistrate, or other persons whatsoever." In my opinion, this provi-sion suspends the privilege of the writ of habeas corpus in a case not excepted by the Constitution. I am aware that the Attorney General of the United States has decided that a party seized under this act may still have the writ of habens corpus; but if it appears on the return to it that he is held under a warrant, or certificate, issued in conformity to this act, he must be remanded to the custody of the Marshal or the claimant. The virtue of a writ of habeas corpus is, that it enables a party to institute an inquiry into the cause of his imprisonment, and if he is not charged with a crime, or committed by the final judgment of a court of competent jurisdiction, as a general rule, to be discharged, unless the right to detain him is established by proof. This I understand to be "the privilege" of the writ meant by the Consti-"the privilege" of the writ meant by the Consti-tution. If it had been the idle ceremony describ-ed by the Attorney General, I do not believe the privilege would originally have caused such a struggle to wrest it from a sovereign, or would have been so jealously guarded by the United States Constitution, and the bills of rights in the

several States. There is a single other provision of this remarkable act that I must not omit to notice. It is new, so far as I recollect. I allude to section 10—which any court of record in any State or Territory, or in the District of Columbia, or any judge thereof in vacation, and make proof of an escape, and that the person escaping owed service to such party; thereupon the court shall cause a record to be made of the matter so proved, with a general de-scription of the person escaping, with such con-venient certainty as may be—"and a transcript of the clerk and of the seal of said court, being produced in any other State, Territory, or District in which the person so escaping may be found, and being exhibited to any Judge Commissioner, or other officer authorized by the law of the taken to be full and conclusive evidence of the fact of escape, and that the service or labor of the person The section authorizes further evidence to be given if the claimant chooses, but it is not to be supposed that, having a record which is declared by law to be "full and conclusive evidence" of the escape and the service due, and which con-tains a description of the person claimed, he would offer additional testimony, unless, possibly, on the subject of identity. The Judges of the United States Courts have generally held, that in the summary proceedings authorized by the other sections of the act, they are at liberty to receive counter evidence on the part of the person claim-ed, to give him a hearing, and if he proves he does not owe the service, to set him free. But they would hardly venture to receive such evidence in a case arising under the tenth section, and they certainly would not dare to allow it, on the question of escape or service due, to overthrow a record which the statute makes full and conclusive syidence against the carrow saired as to beat

vided the same summary proceedings for the surrender of both. So far as the act devolved upon
State officers the duty of its execution, it was
pronounced by the Supreme Court unconstitutional. (See Martin vs. Hunter's Lessee, 1 Wheaton,
306. Also, Prigg vs. Penn. Commonwealth, 16
Peters, 630.) This restricted the operation of the
act to a very limited range, and the small number
of cover a viving under it, do not seem to have exact to a very limited range, and the small number of cases arising under it do not seem to have excited general inquiry into its constitutionality. But it seems to me the distinctions I have adverted to show that no argument in favor of the fugitive to show that no argument in favor of the fugitive to show that no argument in favor of the fugitive to show that no argument in favor of the fugitive to show that no argument in favor of the fugitive would be scouted from the court with ridicule and sould be scouted from the court with ridicule contempt. But Congress have made it conclusive proof of the slavery of a fellow creature. If a suiter of one of our Northern ladies should claim to it which regulates the extraction of criminals.

These relate to a public effender—the act in suitor of one of our Northern ladies should chain their ear-rings or breast-pins with such a record, the would fail; but if he demands their persons, he would fail; but if he demands the persons th the record is conclusive. It is needless to add, that I think this section intrepidly defies the pro-vision of the United States Constitution, which declares that no person shall be deprived of life, liberty, or property, without due process of

But we are told we must not discuss these sub-But we are told we must not discuss these sub-jects. Those who are daily writing, speaking, meeting, dancing, and dining, to put down agita-tion, admonish us to be silent. We are told that Congress have adopted a system of Compromise measures on the subject of slavery, which must not be disturbed. My recollection of the occur-rences referred to is different from this. I think, as a system, they failed; the bill which embodied them as a compromise was defeated; the omnibus them as a compromise was defeated; the omnibus was upset. Even the most distinguished men who advocated them in a lump took no part in their final passage. It was not until the distinguished Chairman of the Committee of Thirteen retired from an eight months' campaign in the Senate, which he lost, to reinvigorate his system in the waters of Newport, and his able associate, anxiety with which this institution has been watched. It is well described by Mr. Justice in the waters of Newport, and his able associate, story, in the case of Parsons vs. Bedford, 3 Pessage in the supplier of Massachusetts, caped into the Cabinet of President Fillmore, and hills on the supplier of slavery in that the several bills on the subject of slavery in the United States separately passed into laws. Each of them must therefore now stand or fall by Again, we are told that the Union of these

States is in danger. This information comes to me at least exclusively from politicians, and merchants engaged in a particular branch of business. Without intending to say anything in the least disrespectful of either of these highly respectable classes of traders, I cannot overlook the fact that they are both seeking Southern support. Their interests therefore may mislead their judgments, and certainly their anxiety may magnify, if not make, the danger. So far as I know the feeling of the North, there is a universal devotion to the Union, and a general willingness to secure to the slaveholder his full constitutional rights. I beslaveholder his full constitutional rights. I believe the devotion to the Union is almost equally universal at the South. The signal failure of the two Nashville Conventions—the moderated tone of Georgia, Alabama, and Mississippi—the loyalty, wisdom, and patriotism, of Virginia, North Carolina, Texas, Kentucky, Louisiana, and Tennessee—all serve to play the the effect. leans demands my writing desk at New York, he unions in danger, which alarms the aged politi-must try titles with me here before a jury, but if cian—I refer to the union of National Whigs and he demands me, I can have no such trial. Is there the union of National Democrats. Those two ora difference between a claim of labor and a claim of other property? And is the difference such that, when the claim of labor involves the liberty of a person, the defendant forfeits the right of trial by jury?

It may be said that a person seized can try the labor involves the liberty of the slavery question, and those who derive consequence or a livelihood from either have been naturally alarmed at the danger to those unions. But the Union of these States, in my humble judgment, has never been in danger since 1832

er, or mechanic, or laboring man, in the United States, in my judgment, that believes the Union in danger. I appeal from the artificial heat of partisan orators and writers to the more certain during all the alleged danger to the Union, have stood firm or advanced. But there is no need of producing this evidence. Those who have assumed a monopoly of saving the Union, I believe, now concede that it is out of danger—they find leisure now to save themselves. But I must bring this unreasonably long co

munication to a close. I have availed myself of this occasion to discuss the constitutionality of the act concerning fugitives. I have treated it as the Constitution treats it, altogether as a question of property, wholly omitting to advert to the question of humanity and freedom, so intimately why I think it unconstitutional, without stopping and right. I do not believe there is a civilized country on earth that would now enact such a law. I do not intend to confine this remark to Governments which permit a trial by jury, nor to free Governments, nor to Christian Governments; but I design to say that no civilized Government age of one of its citizens or subjects, in the mode that this law allows, if it does not invite. But I have referred altogether to its unconstitutionality. How are its consequences to be avoided? So far as this is to be done by legislation, it seems to me the remedy is with the State Legislatures. An excellent bill for that surpose has been intro-duced into our Assembly by Mr. Coffin of Otse-go, and I trust it may become a law. It does not assume to legislate for fugitive slaves. It protects the free inhabitants of our own State, and presumes all the inhabitants to be free. Other States will, of course, legislate as they deem wise. In the mean time, every individual should determine for himself what respect he will pay to the act of Congress in question. There is a distinction between an unjust and an unconstitutional law. The obedience to the latter is frequently the only mode of testing its unconstitutionality. A dis-tinguished advocate of our State, the judge of one of our oldest and most tranquil counties, recently adopted this mode of testing the constitutionality of a city ordinance. It is far from my wish to offer any advice to others upon this subject. I have already said that the law applies to person of all colors, and to service of every kind; and I would simply add, that if I should be seized under this law, I should resist it with all the means

Respectfully, yours, John Van Buren. New York, April 4, 1851.

For the National Era

My heart is sad to-day! for with the ken Of mental vision, stretching far and wide Diversely scattered over land and tide-From port to port, by busy Commerce sent And others still, intently occupied, Swarming promiscuous o'er the continent;
And as I view them, envy, hate, and pride, Worth bows to fame, and honor is allied Intrigue and cunning conquer every foe,
And boodwinked ignorance is pleased to have it s

Jefferson, Ashtabula Co , O , January, 1851.

The following letter from the Commissioner o the General Land Office, relative to the lands in

LAND FOR THE HUNGARIAN EXILES.

Iowa occupied by Governor Ujhazy and his companions, will be read with interest: GENERAL LAND OFFICE, April 7, 1851. GENTLEMEN: On the 7th ultimo, Major G Tochman addressed a letter to the Secretary of

the Interior, requesting that the lands occupied by Governor Ujhazy and his companions, in town-ships 65, 69, and 70, range 26, and in township 69, range 25, in Decatur county, lowa, might be withdrawn from sale until the end of the first session of the Thirty-second Congress, to enable
him to make application to that body for a grant
of those lands to those exiles.

Under these circumstances, the President, on
the 24th ultimo, directed that the tracts of land the 24th ultimo, directed that the tracts of land occupied by Governor Ujhasy and his companions be withheld from sale or entry of any kind until the end of the next session of Congress; provided, that each shall designate the particular tract he wishes thus reserved; and, further, that these reservations shall not interfere with any vested rights, or include the improvement of any

the decision of this office.

When all the lands have been designated, the reservation of which is desired by Governor Uj-hazyand his companions, you will report a list of them to this office You will understand that "the companions" of

rith him were driven into exile from Hungary. Very respectfully, &c,
J. BUTTERFIELD, Commissioner.
Register and Receiver, Fairfield, Iowa.

Governor Ujhazy, thus referred to, are those who

For the National Era. FORTUITIES OF GREATNESS.

BY L. A. HINE. How complex and delicate is our mental organ-

ization! Where shall we find a comparison that will aid in conveying our meaning? There is nothing in the whole range of art sufficiently nice in its structure, or sensitive to the touches of external influences, to represent the nature of our intellectual and moral mechanism. As God is infinitely above man, and as humanity is his masterpiece, so must the most perfect manifestations of human genius be infinitely inferior, in sublimi-

ty, beauty, and delicacy, to the constitution of mar. The mind has been compared to an instrument of many strings, susceptible to the slightest touch, or the faintest breath. But the Mozarts, the Haydns, and the Bethovens of music, strive in vain to tell us of the delicacy of that spiritual harp of an hundred strings, which the Almighty has strung with the fibres of the human brain-As an instrument of music with many notes is capable of many and most delightful harmonies, when rightly attuned and skilfully played, so the multiplied notes or organs of the mind, when struck by proper influences from without, realize our highest ideal of angelic music; and as, on the other hand, when a complicated instrument is discordant and unskillfully played, the most frightful charivari is produced; so an external combination of evil influences produces on the mind all the discords of moral and intellectual madness which are exhibited in the dark history of human

Reader, did you ever reflect on the extreme delicacy of the thoughts, feelings, emotions, and susceptibilities of human nature? Did you ever notice the nicety of that mental balance which is notice the nicety of that mental balance which is in 1749. The extreme susceptibility of his spirit essential to a perfect existence? How trifling is evidenced in the powerful impression which seems the circumstance that sometimes turns the scale, and fills up a life of misery, that should be constantly overflowing with unbidden joy! Often we see a spirit, or rather the imbodiment of the invisible spirit, that seems in all respects ordained for nobility and happiness, become the source of keenest anguish and most startling deformity of moral life, by a simple breathing of an untoward breath. On the other hand, we occasionally see one that, apparently doomed to ruin in all its ruling loves, at once rise almost to an angel of

marked, of glory and immortality, completely won. that once trembled with the weight of a breath or was suspended with less than a spider's web Perhaps we shall be impressed with some whole some philosophical truths by such a review, and be better enabled to understand and assist in perfecting a system of mental culture that will save multitudes from misery, and contribute much to the sum of human goodness and happiness. Perhaps the life of William Cowper is as forci

ble an illustration of this point as can be found, in consequence of its eventful character, in respect to what is called sanity and insanity. In it we shall see how susceptible was his mind to external influences. In it, too, we shall see on how small a point human greatness often hangs. William Cowper was born in 1730. His fa

ther was John Cowper, second son of Judge Cowper, and Chaplain to George II. With this parentage we might expect a strong and well-fortified mentality in the son; for his grandfather must have possessed strong abilities to attain a high position in the law, and certainly a man of inferior power could not have obtained the office in the royal household which his father held. But the poet, in his youth, was constitutionally shy and diffident. Familiarity with courtly habits and the manners of high life, from the first moment of his existence, did not give him sufficient boldness to be himself, and maintain his identity among his fellows. The contention and bastle of a Westminster education did not sublue his timidity in any degree, says his biographer; so that, though he obtained considerable classical education, he said of himself, that he "was never able to raise his eye above the shoe buckles of the elder boys, who tyrannized over him." This peculiarity of his character, which finally proved so fatal to his happiness and men-tal equilibrium, was probably due to a similar de-fect in the maternal mind, whose timidity unmaintaining her position in society. Doubtless the annoyance that afflicted her through this defeet, immediately previous to the birth of the poet, stamped the same peculiarity on his embryonic may produce the greatest consequences to a hu-man being, even before his birth. From the Westminster seminary Cowper passed to the Inner Temple, where he continued to the

age of thirty-three. How he passed this mos important period of his life we are not informed It is certain, however, that even with Lord Thur-low for his preceptor, he made no proficiency in the law. A very few slight pieces of composition are the only productions of fifteen years of lite-rary leisure. This period was spent in idleness and gaiety; but these did not correct the malady of his nature. At the age of thirty-one, his friends procured for him the office of recording clerk to the House of Lords; but the idea of reading in public was a source of such torture and apprehension to him, that he resigned that place, and had influence enough to exchange it for that of clerk of the Journals, which was supfor that of clerk of the Journals, which was sup-posed to require no attendance; but an unlucky dispute in Parliament made it necessary for him to appear in his place. His terrors, continues his biographer, rose to such an astonishing height that his reason was overwhelmed. For several months he had carefully prepared himself, but he trembled in the belief that his knowledge would all forsake him at the bar of the House. This properheasing ingressed to such a degree that apprehension increased to such a degree, that when the dreaded day arrived, he was unable to when the dreamed day arrived, he was unable to make the experiment. He was compelled to re-linquish a station, the prospect of which so se-riously affected his constitutional sensibility. This conflict between his ambition and his diffidence nearly destroyed his bealth and faculties so that the efforts of two learned and benevolent divines failed to restore a lasting tranquillity. He was removed to St. Albans, where he resided a considerable time, under the care of the eminent a considerable time, under the care of the eminent Dr. Cotton, a scholar and a poet of rare accomplishments and peculiar sweetness of manners. After a year's treatment, his mind began to emerge from its confusion, and he began to seek consolation in Scriptural studies and religious meditation. He formed an acquaintance with the family of the Rev. Mr. Unwin, with whose widow the greater part of his subsequent life was passed.

His letters, at this time, are of a deep devotional cast, and bear evidence of continued depression.

After the death of Mr. Unwin, Cowper retired with his widow to the village of Olmy, in 1768 While Mrs. Troost sat sighing over things in such saking the loose threads from the completed sament, held it up a moment to take a satisfactory view, as it were, and folded it away.

"Well, did you ever!" and Mrs. Troost; "you have made half a shirt, and I have got nothing if rom Rome and ite vicinity have left, it is sup-

tions on your books and plats, that the lands thus designated may be withheld from sale, as directed by the President.

in the hope of giving some salutary employment to his mind. At the age of fifty, therefore, Cowper began to write, with the view of directing his If any interference or conflicts arise, you will notice, will refer the case, with your opinion, for the decision of this office. Dejection of spirits, which, I suppose, may have prevented many a man from becoming an author, made me one. I find constant employ-ment necessary, and therefore take care to be constantly employed. Manual occupations do not engage the mind sufficiently, as I know by experience, having tried many. But composition, especially of verse, absorbs it wholly." In this example we find a mind that oscillated between the total eclipse of a dreadful insanity, and the clear radiance of an illuminated genius. We see how little would becloud it, and how essential was a constant employment to the supremacy of his no ble powers. How deep must have been that mel-ancholy which settled in thick darkness over his spirit, and how weak must have been the organs of hope to encourage, of self-reliance to sustain and of combativeness to embolden him! In this case, too, we see the necessity of action

mental employment, for self-preservation, to have been the harbinger of Cowper's greatness. He learned, when past the middle of life, that he must "be constantly employed," in order to pre-serve his sanity. In the following facts we find another fortuity of that excellence he attained in the conception and composition of poems which will live as long as the English language shall

His first volume appeared at the close of 1781, but was not popular in consequence of being too serious for one class, too satirical and witty for another, and of too harsh and negligent versifica-tion for the public generally. About this time he became acquainted with the widow of Sir Thomas Austin, who became his warm friend, and to whose suggestion are due many of his celebrated productions. "John Gilpin" was suggested by this lady, the story of which was told him from the recollections of her childhood, to dissi-pate the gloom of the passing hour. The laughand he converted the story into a ballad. In 1783 this lady also suggested "The Task," which is said to have been the best and most popular of his performances. The anecdote is thus related: "This lady happened, as an admirer of Milton, to be partial to blank verse, and often requested

her particular friend to try his powers in that species of composition. After repeated solicitations he promised, if she would furnish a subject, to comply with her request. "O," she replied, "you can never be in want of a subject—can write upon any—write upon this sofa!" The poet obeyed her command, and from the lively repartee of familiar conversation arose a poem of many thousand verses, unexampled, perhaps, both in its origin and its excellence."*

The next case I have marked for this connec-

tion is that of Alfieri, who was born in Piedmont, music made upon his mind. When we notice the influence of the divine art in his case, how brilliantly does his spirit contrast with our dull sus-ceptibilities! He attended the opera, and thus described the effect upon himself:

"This varied and enchanting music sunk deep

into my soul, and made the most astonishing im-pressions upon my imagination. * * * I am fully convinced that nothing acts so powerfully on my mind as all species of music, and particu-larly the sound of female voices, and of controalto. Nothing excites more varied or terrific sen-sations in my mind. Thus the plots of the greatst number of my tragedies were either formed

latent energies of a great mind awakened from their slumber by the potency of its charms and the inspiration of its harmonies. Under its in-fluence, we find the faculties of Alfieri so aroused and attuned that he could conceive the whole compass of a tragedy during a brief concert. Wonderful, too, that the soothing, refining, and spiritual strains of music should so stir up the terrible in his soul, as to carry his mind over the track of tragical life! Music, whose office seems generally to be to cheer the afflicted, to revive the frooping, to cure the sick, to console the imprisoned, to allay the passions, and to bind the fero-cious beasts with its spell, seems, in this case, to have aroused the lion of the human soul, enabled it to feel its might, and carried it in triumph through one of the most difficult channels

The third example is no less than the Bard of cient to call out the hearty applause of the people of any clime, and of any language. In the middle of the sixteenth century the stage was a mere play-house that pandered to the vilest tastes and passions of mankind. Little of true excellence or dignity appeared on the boards. It groaned for a deliverer, and humanity sighed for groaned for a deliverer, and humanity sighed for a saviour from its corruptions. All at once, the people were delighted with the appearance of the boy Shakspeare at a play-house of London. This thing of the stage was, to his mind, suggestive of mighty intellectual achievements; and thus was a life of poetic glory commenced, that has never been eclipsed, and, if it were not rash, I would say it never will be. Shakspeare elevated and dignified the stage, infused an exalting spirit of virtue into its entertainments, and filled the actquisitely and sublimely expressed, that the vulgar were moved to some loftier conceptions of the were moved to some ioftier conceptions of the true life! But, as our curiosity is somewhat excited by this man, Shakspeare, how came he at a London play-house? Why, in that period of youthful vigor, while the spirits ran high, and when the mind had no positive enjoyments, William thought it would be nice sport to have an adventure, with a band of deer-stealers, in robbing the park of Sir Thomas Lacy, near Strat-ford. But, all at once, the enjoyment of this addetected as particeps criminis in that which he had not even dreamed to be anything but good sport. To escape the punishment of the law, William had energy enough to fly from his family, and bury himself in the great city of London, until Sir Thomas should forget the loss of his deer. Thus did a crime make William the full-sized Shakspeare that we see him to be in his works and every year, for nearly three centuries, has added to the monument of his renown. * Hayley's Life of Cowper.

TO BE CONCLUDED IN OUR NEXT.

POPULATION OF FLORIDA.

The area of the territory of Florida is fifty

	Deaths.	
8.420	240	2 804
22.135	396	2 970
9,338	233	2,811
39,893	869	8,585
	9,338 9,338	9,338 233

burg, Tuesday, April 15.—The Senate bill relative to the repeal of a portion of the act of 1847, rela-tive to the recapture of fugitive slaves, has passed the House of Representatives—yeas 54, nays 33. This opens our prisons for the detention of fugi-DEATH OF JUDGE DAGGETT. - New Haven papers announce the death of the Hon. David Dag-

PUBLICION SLAVES IN PENNSYLVANIA - Horris

gett, at the advanced age of eighty-six. He was a jurist of great ability and eminence, and for many years was one of the most popular and in-fluential citizens of Connecticut.

COL BENTON AT HOME .- We have the pleasure of laying before our readers to day the speech made by Er. Senator Benton, to the Democracy of St. Louis, on the night following his return to his late constituents. We take our report from the St. Louis Union. It will be perceived that the orstor has "listed for the war." Within twelve hours after his arrival, he had made appointm to speak for the four succeeding evenings, in different parts of the city.

A Numance.—The Grand Jury of Georgetown District, South Carolins, for the spring term of court, present as a nuisance all those transient persons from the non-siaveholding States, who come to that District in the winter, for the purpose of trading, shad-fishing, and duck-shooting. They believe them to be injurious to all classes of our population, and therefore solicit the intervention of the Legislature in the matter.